

**IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

UNITES STATES OF AMERICA	)	
	)	CASE NO. 3:05-CR-234-A
v.	)	
	)	
TYRONE WHITE	)	

**EMERGENCY MOTION FOR NO CONTACT ORDER**

1. COMES NOW the Defendant TYRONE WHITE, by and through his attorney, Julian L. McPhillips, Jr., and respectfully moves this Honorable Court for an immediate No Contact Order, prohibiting the Auburn Police Department and the Federal Bureau of Investigation from contacting any of the eleven affiants named in *Defendant's Motion to Dismiss Indictment and For Sanctions* (Doc. 39), until a hearing can be held before this Court on the matter.

2. As stated previously in the afore-referenced motion, the Auburn Police Department, acting in conjunction with, or at the behest of, the federal government, threatened and intimidated witnesses, including the persons named in said motion. Also filed therewith were his *Motion for Protective Order* (Doc. 48), and *Motion for Emergency Hearing* (Doc. 49). Yesterday, the Court set a hearing on these motions for Wednesday, November 30, 2005.

3. Auburn police officers and/or federal agents are threatening witnesses **right now**. In particular, the three grand jury witnesses who submitted affidavits about police coercion in this case, namely Shenard Pitts, Mitchell Giles, and Jerry Stinson, have been approached by officers and/or agents at home and/or at work.

4. **The officers and/or agents have threatened these men, saying that "If you know what's good for you, then you will not testify in Montgomery on Wednesday" clearly**

referring to the afore-mentioned hearing. The officers and/or agents went to the workplace of at least one of these men, and told him they will lock him up if he testifies.

5. Clearly, the urgency of this matter is escalating as we speak. The undersigned earnestly beseeches this Court to ORDER that these witnesses be protected from further contact and threats by Auburn police officers and federal agents, even if only temporarily, until such time as a hearing can take place.

WHEREFORE, above premises considered, the undersigned prays that this Honorable Court will permit a hearing on the issue, this afternoon; and

FURTHER ORDER that these witnesses be protected immediately from further contact by the Auburn police and federal agents, in the interim before the hearing.

RESPECTFULLY SUBMITTED this 22nd day of November 2005,

TYRONE WHITE  
Defendant

/s/ Julian L. McPhillips, Jr.  
JULIAN L. McPHILLIPS, JR.  
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CERTIFICATE OF SERVICE

I certify that, on this date, I have served a copy of the foregoing upon the Government by electronic filing, and by faxing an additional courtesy copy of same to the Government's attorney, at (334) 223-7135.

/s/ Julian L. McPhillips, Jr.  
JULIAN L. McPHILLIPS, JR.  
Attorney for Defendant